

EXHIBIT 4



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Transcript of Jose Valladares

Date: July 20, 2022

Case: Timbers -v- Telligent Masonry, LLC, et al.

Planet Depos

Phone: 888.433.3767

Email: transcripts@planetdepos.com

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<p>1 think 21st, does that sound about right, 2020?</p> <p>2 A Yeah. Something like that.</p> <p>3 Q Okay. And Mr. Timbers worked for that</p> <p>4 day, correct?</p> <p>5 A Yes.</p> <p>6 Q Okay. Mr. Timbers position is that he was</p> <p>7 not allowed to return to work the following day.</p> <p>8 I believe which would of been the 24th of August--</p> <p>9 A Yes.</p> <p>10 Q Which would of been that following Monday?</p> <p>11 A Yes.</p> <p>12 Q Is that true?</p> <p>13 A Yes.</p> <p>14 Q Okay. So you asked Mr. Timbers not to</p> <p>15 come back to work there?</p> <p>16 A Yes.</p> <p>17 Q Okay. And what was your reason for asking</p> <p>18 him not to come back?</p> <p>19 A I told him he was not doing quality work</p> <p>20 and everything he build, I got tear down build</p> <p>21 back up and that's the reason I told him to not</p> <p>22 coming back.</p>	<p>1 Q Okay. For the foundation?</p> <p>2 A No.</p> <p>3 Q No?</p> <p>4 A Up.</p> <p>5 Q Up. Okay. So above the ground?</p> <p>6 A Yeah.</p> <p>7 Q And he was doing masonry work for you</p> <p>8 then?</p> <p>9 A Yes.</p> <p>10 Q Laying block?</p> <p>11 A Laying block.</p> <p>12 Q Okay. And it was during that time that</p> <p>13 you saw or realized that he had work issues,</p> <p>14 quality performance --</p> <p>15 A Yes.</p> <p>16 Q Okay. Why don't you tell us a little bit</p> <p>17 about some of things you noticed about Mr. Timbers</p> <p>18 work quality during that time period?</p> <p>19 A He -- he was not do quality work. Every</p> <p>20 time he was do something, he has to redone it,</p> <p>21 because it was not too good.</p> <p>22 Q So can you tell us more specifically what</p>
<p>1 Q Okay. So Mr. Timbers worked for you that</p> <p>2 one day in August. So you must be referring to</p> <p>3 previous experiences you have --</p> <p>4 A Yes.</p> <p>5 Q Okay. So lets talk a little about that.</p> <p>6 At some point you supervised Mr. Timbers, correct?</p> <p>7 A Yes.</p> <p>8 Q Do you recall when that was?</p> <p>9 A That was Luis Spenado (phonetic).</p> <p>10 Q Okay. And were you ever his direct</p> <p>11 foreman?</p> <p>12 A Yes.</p> <p>13 Q Okay. And when was that?</p> <p>14 A That was probably between April to July.</p> <p>15 Q Of 2019?</p> <p>16 A Yes.</p> <p>17 Q Okay. And was that at the Prince William</p> <p>18 location?</p> <p>19 A Yes, yes.</p> <p>20 Q What type of work was being performed</p> <p>21 there at that time?</p> <p>22 A That was finish cement.</p>	<p>1 was being redone, like a section of the --</p> <p>2 A Section. Any section he built and I check</p> <p>3 it, it has was out of plum, (indiscernible) was</p> <p>4 too big. We can't tolerate bigger than two inch</p> <p>5 ones and I was telling many, many times please do</p> <p>6 better. I'll give you a chance to work but you</p> <p>7 have to do better. Never changed it. Still the</p> <p>8 same.</p> <p>9 Q Okay.</p> <p>10 A And I was tired of it.</p> <p>11 Q And that was all on 2019?</p> <p>12 A Um-hum.</p> <p>13 Q Sir, during that time period when you were</p> <p>14 noticing Mr. Timbers with the work quality issues,</p> <p>15 did you ever, like, issue him a disciplinary write</p> <p>16 up or anything like that?</p> <p>17 A Really I did not do it. I should but I</p> <p>18 not.</p> <p>19 Q Okay. Did you ever contact, you know,</p> <p>20 anyone at Telligent, you know, main office or</p> <p>21 their, you know, HR or superintendant to tell them</p> <p>22 that, you know, this guy is not doing good work?</p>

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<p>17</p> <p>1 A I did.</p> <p>2 Q Okay. Who did you speak with?</p> <p>3 A Taylor. Ms. Taylor.</p> <p>4 Q You spoke with Ms. Taylor?</p> <p>5 A Yes.</p> <p>6 Q And when would this have taken place?</p> <p>7 A I think it was -- I'm not sure if it was</p> <p>8 in August when the issue was.</p> <p>9 Q Can you tell us the year, sir. Was it</p> <p>10 2020 or...</p> <p>11 A 2020.</p> <p>12 Q Okay. Did you speak with her before then</p> <p>13 -- what I'm focusing on now is the 2019 time</p> <p>14 frame.</p> <p>15 A Yes.</p> <p>16 Q Okay. Who did you speak with in the 2019</p> <p>17 time frame when you realized Mr. Timbers was poor</p> <p>18 quality masonry?</p> <p>19 A Well, I talked to my helpers, the foreman</p> <p>20 on sight. I tell them just to keep your eyes on</p> <p>21 him and make sure he do right.</p> <p>22 Q So the other foreman is what you're</p>	<p>19</p> <p>1 think he would do this, but for now on, on my</p> <p>2 experience I started doing it, because this</p> <p>3 happens so give me more experience how I can keep</p> <p>4 a record. If I do write in and make a note day by</p> <p>5 day.</p> <p>6 Q So is it your testimony that you didn't</p> <p>7 realize that the lawsuit would come of this and</p> <p>8 had you known that you would have taken better</p> <p>9 notes?</p> <p>10 A Yes.</p> <p>11 Q Okay. Let me ask you a little bit about</p> <p>12 the personnel on the Prince William High School</p> <p>13 job. You say Jose -- Luis Spenado was the other</p> <p>14 foreman?</p> <p>15 A Yes.</p> <p>16 Q Okay. Does he work below you or was he</p> <p>17 equal?</p> <p>18 A He was below me.</p> <p>19 Q Okay. So he was kind of more of a junior</p> <p>20 foreman?</p> <p>21 A Yes.</p> <p>22 Q And you are kind of a more senior foreman?</p>
<p>18</p> <p>1 saying?</p> <p>2 A Yes.</p> <p>3 Q Who was the other foreman?</p> <p>4 A Jose Respenado (phonetic).</p> <p>5 Q Okay. What about Mr. Villegas,</p> <p>6 Tranquilino Villegas, did you ever talk to him</p> <p>7 about Mr. Timbers?</p> <p>8 A Yeah, he knows too.</p> <p>9 Q Okay. But did you talk to him about 2019?</p> <p>10 A 2019? I don't remember.</p> <p>11 Q Okay. So I haven't seen any disciplinary</p> <p>12 records in the record regarding poor performance</p> <p>13 until Mr. Timbers termination and I'll just ask</p> <p>14 you, is it fair to say you didn't document any of</p> <p>15 these issues of performance in writing?</p> <p>16 A No.</p> <p>17 Q Okay. So you just told Mr. Timbers to do</p> <p>18 better?</p> <p>19 A Yes.</p> <p>20 Q Okay. Is there the reason why you didn't</p> <p>21 document any of these in writing?</p> <p>22 A I would say it was -- I never ever would</p>	<p>20</p> <p>1 A Yes.</p> <p>2 Q Okay. And how long did he work on that</p> <p>3 project for?</p> <p>4 A He worked probably maybe about 18 months.</p> <p>5 Q Okay. Was he there in August of 2020 when</p> <p>6 Mr. Timbers came on?</p> <p>7 A Yeah, he was there.</p> <p>8 Q He was there, okay. Sir, can you tell us</p> <p>9 how many -- I have a list of employees that I'm</p> <p>10 going to show you in a second but I just want to</p> <p>11 know if you recall, do recall how many African</p> <p>12 Americans were working on the Prince William job?</p> <p>13 A Probably -- it was not many guys.</p> <p>14 Probably about maybe five, six.</p> <p>15 Q So there were others besides the Timber</p> <p>16 family members.</p> <p>17 A Yeah there were two guys right from</p> <p>18 Baltimore. It was too far away.</p> <p>19 Q Okay.</p> <p>20 A They decide now to go back because it was</p> <p>21 too far.</p> <p>22 Q Okay.</p>

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<p>21</p> <p>1 A So we had more then them.</p> <p>2 Q During the August of 2020 time frame, do</p> <p>3 you recall how many African-American employees</p> <p>4 were working on the site?</p> <p>5 A By that time probably, maybe four or five.</p> <p>6 Q So still others besides Mr. Timbers and</p> <p>7 his family members?</p> <p>8 A Yes, yes.</p> <p>9 Q Do you remember their names?</p> <p>10 A No.</p> <p>11 Q Do they still work for the company?</p> <p>12 A I don't think so.</p> <p>13 Q Okay. Now, I know, sir you testified that</p> <p>14 you were managing essentially the Prince William</p> <p>15 project. We're you familiar with the type of work</p> <p>16 that was going on at the Faraday, Reston job</p> <p>17 location?</p> <p>18 A No.</p> <p>19 Q Okay. So you don't know anything about</p> <p>20 that project?</p> <p>21 A No, no.</p> <p>22 Q Okay. And who was the foreman on that</p>	<p>23</p> <p>1 A I don't know. What I know is when the job</p> <p>2 ticket all most finishes, they don't need that</p> <p>3 many guys. They transfer to different jobs.</p> <p>4 Q Okay. One of the allegations that</p> <p>5 Mr. Timbers has made in this lawsuit is that he</p> <p>6 was originally told he could not work at your work</p> <p>7 location or the Prince William location on</p> <p>8 August 21st, 2020 and it wasn't until several</p> <p>9 Hispanic masons showed up and were allowed to</p> <p>10 start working that he was eventually allowed to</p> <p>11 start working; is that true?</p> <p>12 A It was a mistake.</p> <p>13 Q Okay. Can explain what that manes?</p> <p>14 A It was a mistake because I told Jose</p> <p>15 Spnado not let me take this work because I knew</p> <p>16 his quality work and he let him work and</p> <p>17 everything he build that day, next day we tear</p> <p>18 down and build back up and I was mad.</p> <p>19 Q Okay. So you did not want him working at</p> <p>20 all?</p> <p>21 A No, no.</p> <p>22 Q But Mr. Palmado (phonetic) let him work</p>
<p>22</p> <p>1 project?</p> <p>2 A I don't know.</p> <p>3 Q Was it Wilmer Molina (phonetic), if you</p> <p>4 know?</p> <p>5 A I -- for sure I don't know.</p> <p>6 Q Okay. You only knew about the Prince</p> <p>7 William job?</p> <p>8 A Yes.</p> <p>9 Q Okay. So on August 21st, 2020 when</p> <p>10 Mr. Timbers and his brother Albert showed up at</p> <p>11 your work location, you didn't know anything about</p> <p>12 why they showed up to work?</p> <p>13 A I heard there was -- I heard that they got</p> <p>14 transferred but nothing else because I don't do</p> <p>15 that kind of questions to the other guys. I only</p> <p>16 concern about my job. Make sure my job doing</p> <p>17 right. Nothing else.</p> <p>18 Q Okay. So the documentation that I</p> <p>19 reviewed indicates there was about close to 10</p> <p>20 masons that showed up from Faraday on August of</p> <p>21 2020. Did you know why all these workers were</p> <p>22 coming to your location?</p>	<p>24</p> <p>1 that day?</p> <p>2 A Yes.</p> <p>3 Q Okay. And there were other Hispanic</p> <p>4 masons that worked that day as well?</p> <p>5 A Yeah. They do quality work.</p> <p>6 Q Okay. So I'm just going to give you the</p> <p>7 first two exhibits now and we will just kind of go</p> <p>8 through some of them employees here. So I have</p> <p>9 copies for counsel. We will start with this one.</p> <p>10 Here you go and I'll have this marked as one.</p> <p>11 Here you go, sir. Just take a look at that and</p> <p>12 I'll explain to you what that is in just a second.</p> <p>13 Here is the second one. Here you go, Counsel.</p> <p>14 And just let me know when you're ready, sir, and</p> <p>15 I'll explain what the documents are.</p> <p>16 Okay. Sir, I'm just going to go ahead and</p> <p>17 explain to you what these documents are.</p> <p>18 A Okay.</p> <p>19 Q And then I'll let you look at them.</p> <p>20 A Okay.</p> <p>21 Q So the Exhibit No. 2, this probably will</p> <p>22 make more sense to you first. Exhibit No. 2 is a</p>

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<p>25</p> <p>1 listing of the workers that were working the</p> <p>2 Prince William job location from August 20th, 2020</p> <p>3 through September 23rd, 2020. So that's</p> <p>4 approximately the day before Mr. Timbers was sent</p> <p>5 to you until his termination date on September 23.</p> <p>6 There's certain individuals that are</p> <p>7 highlighted on that document. You will see them</p> <p>8 on Exhibit No. 2.</p> <p>9 A Yes.</p> <p>10 Q I think you're looking at Exhibit No. 1</p> <p>11 and I'll explain to you what that is in just a</p> <p>12 second. Exhibit No. 2 should probably look</p> <p>13 familiar to you because these are all the names</p> <p>14 that were apparently working under your</p> <p>15 supervision.</p> <p>16 A Yes.</p> <p>17 Q So the individuals that are highlighted</p> <p>18 are the individuals that came from the Faraday</p> <p>19 Reston location, okay. And the Exhibit No. 1, the</p> <p>20 first document that I gave you, is a listing of</p> <p>21 the workers that were working at the Faraday</p> <p>22 location. So I cross referenced the list to see</p>	<p>27</p> <p>1 location; is that correct?</p> <p>2 A Yes.</p> <p>3 Q Okay. And Mr. Timbers was not allowed to</p> <p>4 work at that location during that time?</p> <p>5 A Yes.</p> <p>6 Q And that was your decision and not the --</p> <p>7 A Yes.</p> <p>8 Q Okay. And the next name on the list is</p> <p>9 Carlos Menandez (phonetic)?</p> <p>10 A Menandez.</p> <p>11 Q Menandez. Again, you can see on the list</p> <p>12 there he worked at the Prince William job location</p> <p>13 site from August 20th, 2020, to August 28th, 2020?</p> <p>14 A Yes.</p> <p>15 Q Okay. And you were the supervisor on that</p> <p>16 jobsite at that time?</p> <p>17 A Yes.</p> <p>18 Q Okay. And Mr. Timbers was not allowed to</p> <p>19 work there during that time period?</p> <p>20 A Yes.</p> <p>21 Q Okay. Let's go to next page. We have a</p> <p>22 Carlos Molina (phonetic). So Carlos Molina worked</p>
<p>26</p> <p>1 who was there and who was here.</p> <p>2 A Okay.</p> <p>3 Q Both of these documents were provided by</p> <p>4 Telligent's counsel. They came from Telligent,</p> <p>5 not from me.</p> <p>6 A Sure.</p> <p>7 Q And I've only focused my attention on</p> <p>8 bricklayers because that's what Mr. Mason was,</p> <p>9 that's all that were really talking about. So I</p> <p>10 wanted to kind of start with focussing your</p> <p>11 attention on Exhibit No. 2. The first names I</p> <p>12 have highlighted was Carlos Hernandezmen</p> <p>13 (phonetic). Do you recall who he was?</p> <p>14 A He was a bricklayer.</p> <p>15 Q He was a bricklayer?</p> <p>16 A Yes.</p> <p>17 Q Do you remember that individual or no</p> <p>18 because he appears his supervisor was Wilmer</p> <p>19 Molina?</p> <p>20 A Yes.</p> <p>21 Q But he came to work for you between August</p> <p>22 20th and August 28th at the Prince William job</p>	<p>28</p> <p>1 at the Prince William job location from the 20th</p> <p>2 of August to the 27th, you see that there?</p> <p>3 A Um-hm.</p> <p>4 Q And Mr. Timbers was not allowed to work</p> <p>5 there during that time, correct?</p> <p>6 A Yes.</p> <p>7 Q These are quality masons?</p> <p>8 A Yes.</p> <p>9 Q And you know these individuals?</p> <p>10 A Yes.</p> <p>11 Q Have you seen their work before?</p> <p>12 A Yes.</p> <p>13 Q Prior to them coming to work on your site</p> <p>14 in Prince William, have you seen their work</p> <p>15 before?</p> <p>16 A Yes.</p> <p>17 Q In what capacity did you examine their</p> <p>18 work prior to them being sent over to you on the</p> <p>19 20th of August, 2020?</p> <p>20 A Well, when they come to work on my</p> <p>21 projects, no matter what they do on other projects</p> <p>22 but my projects, I supervise. I check the quality</p>

<p style="text-align: right;">29</p> <p>1 work, what they doing and I classify if their</p> <p>2 mason or they are not mason.</p> <p>3 Q So you saw right away just by watching</p> <p>4 them work --</p> <p>5 A Yes, yes.</p> <p>6 Q Is what your testimony is? Okay. If you</p> <p>7 go to the next page, sir, Hugo Juarez (phonetic),</p> <p>8 do you recall Mr. Juarez? He's at the bottom of</p> <p>9 page, he should be highlighted. He came to work</p> <p>10 same as Mr. Molina the 20th through the 27th and</p> <p>11 Mr. Timbers was not allowed to work during that</p> <p>12 time, correct?</p> <p>13 A Yes.</p> <p>14 Q Do you recall why Faraday sent these</p> <p>15 workers, do you think they had a delay in their</p> <p>16 work or why were all these guys coming to you to</p> <p>17 work?</p> <p>18 A It was a huge project.</p> <p>19 Q Okay.</p> <p>20 A It was one medium _____ one block.</p> <p>21 Q In the Faraday project?</p> <p>22 A Yes. So we use a lot of people. That's</p>	<p style="text-align: right;">31</p> <p>1 Can you go to next page I want to show you</p> <p>2 theres a Jose Hernandez (phonetic). It looks like</p> <p>3 he worked for you for a while. It looks like he</p> <p>4 came over on the 21st the same day Mr. Timbers did</p> <p>5 and then he left on the 11th, is that about right</p> <p>6 there?</p> <p>7 A Yes.</p> <p>8 Q Okay. And Mr. Timbers obviously was not</p> <p>9 allowed to during that time at your project,</p> <p>10 correct?</p> <p>11 A Yes.</p> <p>12 Q Okay. The last one I think I have here</p> <p>13 is, I'm sorry, if you skip through to Marlyn Ramos</p> <p>14 (phonetic) he's on the second to last page. He</p> <p>15 should be highlighted there at the top. Looks</p> <p>16 like he only came to work for you one day on the</p> <p>17 20th. So that was actually before Mr. Mason came</p> <p>18 over.</p> <p>19 So did he continue to work for, if you</p> <p>20 recall, after the 20th of August, 2020?</p> <p>21 A He was -- if he was needed, yes.</p> <p>22 Q Okay. So would there be times while</p>
<p style="text-align: right;">30</p> <p>1 the reason we put a lot of mans.</p> <p>2 Q Okay. So there was a lot of masons</p> <p>3 working that day?</p> <p>4 A Yes, sir.</p> <p>5 Q Okay. And for some reason some were</p> <p>6 transferred to you in August?</p> <p>7 A Yes.</p> <p>8 Q Okay. Do you know if work continued to</p> <p>9 progress at Faraday during the August 20th to</p> <p>10 September 23rd time period, or when I say work I'm</p> <p>11 talking about masonry work.</p> <p>12 A Yes.</p> <p>13 Q Were they laying block during that time?</p> <p>14 A Yes, yes.</p> <p>15 Q They were?</p> <p>16 A Yes, yes.</p> <p>17 Q So for some reason they just shuffled</p> <p>18 their people around?</p> <p>19 A Um-hm.</p> <p>20 Q Okay. If you go and I apologize for the</p> <p>21 repetitiousness but I'm building the record so I</p> <p>22 have to do this.</p>	<p style="text-align: right;">32</p> <p>1 working on the Prince William project that you</p> <p>2 would find you that we're short staffed of masons,</p> <p>3 would that happen at all?</p> <p>4 A Can you repeat that?</p> <p>5 Q Sure. Did you ever feel during the time</p> <p>6 you were, you know, a supervisor for the Prince</p> <p>7 William project that you ever felt you were short</p> <p>8 staffed or didn't have enough masons working that</p> <p>9 day?</p> <p>10 A Yes.</p> <p>11 Q Okay. And what would you do when you felt</p> <p>12 like you needed more individuals to come?</p> <p>13 A I talk with my office.</p> <p>14 Q Okay.</p> <p>15 A And my office talk with the other supers.</p> <p>16 Q Gotcha.</p> <p>17 A When we have other people available, so</p> <p>18 they sent them over to that place.</p> <p>19 Q That makes sense.</p> <p>20 A Yes.</p> <p>21 Q Who is kind of the point of contact that</p> <p>22 you talk to when you need a request with people?</p>

<p>37</p> <p>1 A Yes.</p> <p>2 Q Okay. So the entire time that he worked</p> <p>3 for you in 2019. I know you said he was a poor</p> <p>4 mason so he's messing up your block wall, but he's</p> <p>5 not making threats at you during that time?</p> <p>6 A No.</p> <p>7 Q Okay. And even after you told him not to</p> <p>8 work on the 21st of August and not to come back on</p> <p>9 the 24th of August of 2020, he didn't make threats</p> <p>10 to you at that time?</p> <p>11 A No, no.</p> <p>12 Q It wasn't until after he was terminated</p> <p>13 that he made threats?</p> <p>14 A Yes.</p> <p>15 Q And even at that time he didn't make them</p> <p>16 to you, correct, he made them to Ms. Prater, is</p> <p>17 that her name, the receptionist?</p> <p>18 A Yes.</p> <p>19 Q Sir, can you flip to the third page and I</p> <p>20 know you didn't complete this document. I believe</p> <p>21 it was completed by Ms. Taylor. We will find out</p> <p>22 later, but your name is in the top of the employee</p>	<p>39</p> <p>1 and experience to do the work.</p> <p>2 Q I understand that testimony. My questions</p> <p>3 a little bit different. I just want to know</p> <p>4 whether this conversation happened or not. Not</p> <p>5 whether it's true, whether it actually happened.</p> <p>6 Do you recall Mr. Timbers talking to you about</p> <p>7 those issues contained in there, not whether it's</p> <p>8 true or not?</p> <p>9 A No.</p> <p>10 Q No. This conversation did not happen?</p> <p>11 A Yeah -- Mr. David he tell them in person.</p> <p>12 He tell me in person I discriminate and I not</p> <p>13 discriminate nobody.</p> <p>14 Q I understand that you dispute that.</p> <p>15 A Yes.</p> <p>16 Q But I just want to know the conversation</p> <p>17 did take place?</p> <p>18 A Yes.</p> <p>19 Q Okay. And it was some time around</p> <p>20 September 18th, 2020?</p> <p>21 A Yes.</p> <p>22 Q Okay. And you disagree with it?</p>
<p>38</p> <p>1 complaint form. You see it at the top there?</p> <p>2 A Yes.</p> <p>3 Q And there's an incident date. If you look</p> <p>4 kind of towards the bottom of the page it says</p> <p>5 September 18th, 2020 and I'll just read what the</p> <p>6 details says.</p> <p>7 It says describe the incident in detail.</p> <p>8 Mr. David Timbers called stating that him and his</p> <p>9 brother Albert Timbers have been discriminated</p> <p>10 against by foreman Jose V. He stated that Jose</p> <p>11 refuses to work him and his brother because they</p> <p>12 are African American. He states that Jose only</p> <p>13 gives the work to the White and the Hispanic</p> <p>14 employees. David stated he would be reporting the</p> <p>15 company to the labor board. Do you recall that</p> <p>16 incident happening?</p> <p>17 A No. No because it's not true what he</p> <p>18 said.</p> <p>19 Q What's not true what he said?</p> <p>20 A This -- what he's describing is not the</p> <p>21 truth because I give work anybody. I don't care</p> <p>22 who they are. As long as they have the quality</p>	<p>40</p> <p>1 A Yes.</p> <p>2 Q But he said it?</p> <p>3 A Yes.</p> <p>4 Q Okay. When he made that reference to you,</p> <p>5 sir, did you contact anyone in the company at</p> <p>6 Telligent or anything like that?</p> <p>7 A No. I didn't say anything.</p> <p>8 Q Okay. You didn't call Tranquilino?</p> <p>9 A No.</p> <p>10 Q Didn't call Michael Pappas?</p> <p>11 A No.</p> <p>12 Q Is there a reason why you didn't report</p> <p>13 this incident?</p> <p>14 A Well, like I said from the beginning, this</p> <p>15 is something I think didn't know he was ____ of.</p> <p>16 If I knew I should of make it.</p> <p>17 Q Okay. And did you recall speaking to</p> <p>18 Ms. Taylor about this incident that happened. I</p> <p>19 believe --</p> <p>20 A Yes.</p> <p>21 Q So you did speak with her?</p> <p>22 A Yes.</p>

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<p>41</p> <p>1 Q And was that before or after Mr. Timbers</p> <p>2 was terminated, if you recall?</p> <p>3 A Can you repeat that?</p> <p>4 Q Sure. So I'm trying to figure out -- I</p> <p>5 believe that Ms. Taylor summarized this</p> <p>6 conversation with you in this form?</p> <p>7 A Yes.</p> <p>8 Q It's dated September 23rd, 2020. That</p> <p>9 would be the date Mr. Timbers was terminated.</p> <p>10 A Yes.</p> <p>11 Q I'm trying to figure out if you recall</p> <p>12 whether you spoke with her on that day or whether</p> <p>13 you spoke with her before that?</p> <p>14 A I spoke with her that day and the day</p> <p>15 before.</p> <p>16 Q And the day before?</p> <p>17 A Yes.</p> <p>18 Q Okay. Do you recall what you spoke with</p> <p>19 her about the day before, so September 22nd. Do</p> <p>20 you recall what your conversation was about, what</p> <p>21 was it about?</p> <p>22 A What I heard her was the kind of person he</p>	<p>43</p> <p>1 the delay. I told you this was going to happen I</p> <p>2 apologize. Let me get this document for you.</p> <p>3 Why don't we take five minutes here. I</p> <p>4 apologize, I can't find the document that I know I</p> <p>5 have. Is that alright with every one, we take a</p> <p>6 quick five?</p> <p>7 (Whereupon, there was a recess in the</p> <p>8 proceedings.)</p> <p>9 Q Sir, I can't find a document I was hoping</p> <p>10 to show you but do you recall sending an e-mail</p> <p>11 around the time that Mr. Timbers was terminated</p> <p>12 regarding his family being troublemakers?</p> <p>13 A Can you repeat that?</p> <p>14 Q Sure. I reviewed an e-mail that I don't</p> <p>15 have today, from you and it was dated September</p> <p>16 23rd, 2020 and it was in the context of Mr. David</p> <p>17 Timbers' termination. It was a group e-mail and I</p> <p>18 want to know whether you remember sending it. It</p> <p>19 said in substance that Mr. Timbers, your opinion</p> <p>20 was that he and his family were troublemakers and</p> <p>21 that he has been in jail a lot. Do you recall</p> <p>22 sending that e-mail?</p>
<p>42</p> <p>1 was and the quality he got.</p> <p>2 Q Okay.</p> <p>3 A Yes.</p> <p>4 Q Did she call you or did you called her?</p> <p>5 A I call her.</p> <p>6 Q You called her?</p> <p>7 A Yes.</p> <p>8 Q Okay. And you described the type of</p> <p>9 performance issues?</p> <p>10 A Yes.</p> <p>11 Q Okay. Did you speak about his brother</p> <p>12 Albert at all or were you just talking about --</p> <p>13 A All his whole family.</p> <p>14 Q His whole family?</p> <p>15 A Yes.</p> <p>16 Q Even Antony?</p> <p>17 A Yes.</p> <p>18 Q Bad laborer?</p> <p>19 A He was good but his attitude.</p> <p>20 Q Okay. So lets because you made a</p> <p>21 reference to that. Let me give you another</p> <p>22 exhibit, sir. Bear with me, sir I apologize for</p>	<p>44</p> <p>1 A I sent an e-mail to Mr. David, yes.</p> <p>2 Q Okay. Why did you say that, do you have a</p> <p>3 reason?</p> <p>4 A I say that Mr. David was troublemaker</p> <p>5 because his family was working on my site and</p> <p>6 there was a lot of problems with him.</p> <p>7 Q With his family or him specifically?</p> <p>8 A Altogether because they was talking to</p> <p>9 each other.</p> <p>10 Q Okay. So I recall there was at least a</p> <p>11 physical altercation with one of his family</p> <p>12 members and another mason?</p> <p>13 A Yes.</p> <p>14 Q That was his nephew Jesse?</p> <p>15 A Yes.</p> <p>16 Q Okay. Do you recall when that took place?</p> <p>17 A I not remember exactly what date was it.</p> <p>18 But I knew that day when he did it. I told him</p> <p>19 that job was zero tolerance. If anybody fight or</p> <p>20 argument with somebody it will get terminated.</p> <p>21 Q Sure. And did he get terminated?</p> <p>22 A Yes. Right away.</p>

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<p style="text-align: right;">45</p> <p>1 Q What about the other mason that he was</p> <p>2 fighting with, was that individual terminated?</p> <p>3 A No, because he did not do anything to him</p> <p>4 and he continued working like nothing happens.</p> <p>5 Q So Mr. Timbers' nephew started the</p> <p>6 altercation?</p> <p>7 A Yes, yes.</p> <p>8 Q So he was terminated?</p> <p>9 A Yes.</p> <p>10 Q Was Mr. Timbers, David Timbers, involved</p> <p>11 at all in that altercation?</p> <p>12 A Yeah, because they was talking together.</p> <p>13 Q Okay.</p> <p>14 A And he was like this -- this part right</p> <p>15 there Where I say I discriminate and that where he</p> <p>16 was talking with him and it create a lot of</p> <p>17 problem.</p> <p>18 Q Okay. But Mr. David Timbers was not</p> <p>19 terminated as a result of that altercation?</p> <p>20 A No.</p> <p>21 Q Neither was Albert Timbers?</p> <p>22 A Yes.</p>	<p style="text-align: right;">47</p> <p>1 he less problematic or more problematic?</p> <p>2 A Less problematic.</p> <p>3 Q Okay. So he was a little bit better</p> <p>4 tempered than Antony?</p> <p>5 A Yes. That's why I keep him a little</p> <p>6 longer.</p> <p>7 Q That's why he stayed longer. Okay. Was</p> <p>8 he a better mason than the other two?</p> <p>9 A No.</p> <p>10 Q Who got the who the job at Telligent, was</p> <p>11 David working there first and he brought the other</p> <p>12 guys on board?</p> <p>13 A No -- yes the other two he brought in but</p> <p>14 Anthony he was working on other project.</p> <p>15 Springfield, Virginia.</p> <p>16 Q Okay. And Mr. Valladares, did I say that</p> <p>17 right?</p> <p>18 A Yes.</p> <p>19 Q Was Mr. Timbers -- he left and came back</p> <p>20 to Telligent on several occasions; is that</p> <p>21 correct?</p> <p>22 A Yes.</p>
<p style="text-align: right;">46</p> <p>1 Q Only Jesse?</p> <p>2 A Yes.</p> <p>3 Q Okay. What are some of other issues</p> <p>4 you've had with Albert. Do you recall any</p> <p>5 specific performance or disciplinary issues you've</p> <p>6 had with Albert while he worked for you?</p> <p>7 A Yeah. He didn't have good attitude to</p> <p>8 work with people around him. He always feel like</p> <p>9 he was a the man and doing whatever he want. So</p> <p>10 that the reason he got terminated.</p> <p>11 Q Really? Okay. For just for having a poor</p> <p>12 attitude?</p> <p>13 A Yes.</p> <p>14 Q Okay. What about Anthony?</p> <p>15 A Anthony same thing. He had bad attitude.</p> <p>16 Always talk with my team. He was like the man and</p> <p>17 do whatever he want and that the reason he got</p> <p>18 terminated.</p> <p>19 Q Okay. And would you say that David</p> <p>20 Timbers had a bad attitude as well?</p> <p>21 A Yeah.</p> <p>22 Q Okay. Just like Albert and Anthony or was</p>	<p style="text-align: right;">48</p> <p>1 Q Over the years. Do you know why Telligent</p> <p>2 kept hiring him if he was a poor mason?</p> <p>3 A I don't know exactly because every foreman</p> <p>4 sometime we not send information to check the</p> <p>5 employee to our office. We doing it to know who</p> <p>6 they are, by that time we didn't do that. That's</p> <p>7 what happened.</p> <p>8 Q Because he was hired back about four</p> <p>9 times?</p> <p>10 A Um-hm.</p> <p>11 Q I'm almost done with my questions for you</p> <p>12 Mr. Valladares, just give me a little few seconds</p> <p>13 here to see.</p> <p>14 A Not a problem.</p> <p>15 Q Mr. Valladares, how many times did</p> <p>16 Mr. Timbers call you in the August to September</p> <p>17 time frame about getting work? Do you have any</p> <p>18 recollection about how many times he called you?</p> <p>19 A No, I do not remember how many times.</p> <p>20 Q Was it more than once?</p> <p>21 A I think so, yeah.</p> <p>22 Q Okay. Do you have any idea why he wasn't</p>

<p style="text-align: right;">49</p> <p>1 transferred to another job location after you told</p> <p>2 him not to come back?</p> <p>3 A I think he got transferred to maybe can do</p> <p>4 different masonry work. Like foundation or walls</p> <p>5 like not get exposed. Maybe that's the reason but</p> <p>6 I do not know exactly that.</p> <p>7 Q Put him on the project where the work can</p> <p>8 be ugly and no one will see it?</p> <p>9 A Exactly. That's the idea.</p> <p>10 Q Gotcha. So if he came back to work for</p> <p>11 you on the 24th you wouldn't have put him to work</p> <p>12 right?</p> <p>13 A No, no.</p> <p>14 Q And he shouldn't have worked on the 21st</p> <p>15 that was just Jose Palmado (phonetic)?</p> <p>16 A Yes. It was a mistake. It was a mistake.</p> <p>17 Q Okay. I think, Mr. Valladares that's all</p> <p>18 the questions I have for you. Thank you very much</p> <p>19 today for your time. I certainly appreciate it.</p> <p>20 A Thank you, not a problem.</p> <p>21</p> <p>22 EXAMINATION BY COUNSEL FOR THE DEFENDANT</p>	<p style="text-align: right;">51</p> <p>1 A Yes.</p> <p>2 Q Okay. And in supervision, do you give</p> <p>3 feed back to some of masons of the quality of work</p> <p>4 that they do?</p> <p>5 A Yes, I do.</p> <p>6 Q Okay. And typically is that feed back</p> <p>7 verbal or --</p> <p>8 A Yes.</p> <p>9 Q And can you just, for the record, how many</p> <p>10 times, if you recall, did you verbally state to</p> <p>11 Mr. Timbers feed back about his work?</p> <p>12 A Everyday, a few times a day.</p> <p>13 Q Okay. When he worked on your work site?</p> <p>14 A Yes.</p> <p>15 Q And you mentioned Tia Taylor. How many</p> <p>16 times did you speak with Ms. Tia Taylor before</p> <p>17 September 22nd, 2020?</p> <p>18 A I think only one time and we had meet in</p> <p>19 the office.</p> <p>20 Q Okay. And when you previously spoke to</p> <p>21 her before September 22nd, 2020, what did you all</p> <p>22 speak about?</p>
<p style="text-align: right;">50</p> <p>1 BY MS. GLOVER:</p> <p>2 Q Mr. Valladares, can you pronounce your</p> <p>3 last name for me?</p> <p>4 A Valladares.</p> <p>5 Q Valladares. Was I close?</p> <p>6 A Yeah.</p> <p>7 Q So my name is Alana Glover. I am counsel</p> <p>8 for Tia Taylor in this matter. I just have a</p> <p>9 couple follow up questions for you.</p> <p>10 A Sure.</p> <p>11 Q So you stated that your position with</p> <p>12 Telligent is as a foreman?</p> <p>13 A Yes.</p> <p>14 Q And can you explain to us kind of your</p> <p>15 duties and responsibilities are as a foreman?</p> <p>16 A Yes. My duty is do the work. Get masons</p> <p>17 put in place to do the work. Labors and make sure</p> <p>18 they do quality work. Get this work done</p> <p>19 correctly and make sure there no problems that my</p> <p>20 _____.</p> <p>21 Q So would you say that you generally</p> <p>22 supervise at your work site?</p>	<p style="text-align: right;">52</p> <p>1 A About him.</p> <p>2 Q Okay. And when you spoke to her, can you</p> <p>3 explain that conversation?</p> <p>4 A I told her Mr. David was not doing quality</p> <p>5 work and everything he build, we have to tear down</p> <p>6 and build back up and that's the point he got</p> <p>7 terminated.</p> <p>8 Q Okay. And what position did Ms. Taylor</p> <p>9 serve in at the time?</p> <p>10 A She was the main -- report any issues on</p> <p>11 site. She was responsible to get all this</p> <p>12 information through and that's why I called her</p> <p>13 because she was in charge.</p> <p>14 Q Okay. So would you say she was the human</p> <p>15 resources person?</p> <p>16 A Yes, yes.</p> <p>17 Q So based off what you it would be the</p> <p>18 foreman that would supervise the site and then you</p> <p>19 all would report issues or different things to Ms.</p> <p>20 Taylor as the human resource officer?</p> <p>21 A Yes.</p> <p>22 Q Okay. So I'm going to point you to</p>